

EXHIBIT 5

10/9/24, 10:33 AM	Incident Details	#258	TIMEOUT	SystemDevice	SYSTEM
2/3/24 14:15:29	Incident Timeout:		CMNTS	M32	N6880
2/3/24 14:15:51	Comments: SUSP ASSAULTING PR BUSN PARTNER.		CMNTS	M32	N6880
2/3/24 14:16:51	Comments: NO GATE CODE NEEDED. R/A DECLINED SUSP ARMED WITH A PIECE OF A LARGE CLOTHING RACK METAL POLE				
2/3/24 14:17:05	Fixed: [PATROL] *1A29-W2#[PATROL] *1A35-W2, *1X32-W4, *1A85-W2, *1X83-W2, *1A41-W2, *1X45-W2, *1A61-W2		REC	M82	N3877
2/3/24 14:17:22	Comments: 1X83 C3 FROM CENT STA		CMNTS	M82	N3877
2/3/24 14:17:28	Primary Unit: Primary:: PD/1X83-W2 (NULL)		PRIM UNIT	M82	N3877
2/3/24 14:17:28	Incident Status: IncStatName: Active (Pending)		INC STAT	M82	N3877
2/3/24 14:17:28	Dispatch: AlarmLevel: 0, AssignedUnitsWithOfficers: PD/1X83-W2 (Officers: PD/JAUREGUI VILLEGAS SANDRA, PD/RODRIGUEZ DESIREE), DispatchedTime: 2024-02-03 14:17:28		DPTCH	M82	N3877
2/3/24 14:17:28	Not Requested: Recommendations not requested		REC	M82	N3877
2/3/24 14:17:28	Dispatch: PD/1X83-W2		DPTCH	M82	N3877
2/3/24 14:17:28	Unit: PD/1X83-W2 Unit Location: Apartment: : 402, City: : LA, Loc Name:: STUDIO, Location:: 644 TOWNE AV (CENT ST), Zip Code: : 90021		UNIT MGMT	M82	N3877
2/3/24 14:17:28	Unit: PD/1X83-W2 Unit Status: NoNeedDisplay: False, UnitStatusChange: ER (CL)		UNIT STAT	M82	N3877
2/3/24 14:17:50	Person 1 Updated: Person 1 Updated: FirstName: BRANDON; Phone: 323 7047762 ;		PER INFO	M32	N6880
2/3/24 14:17:53	Person 1 Updated: Person 1 Updated: FirstName: BRANDON; Phone: 323 7047762 ;		PER INFO	M32	N6880
2/3/24 14:19:16	Comments: SUSP GUARDING THE DOOR TO THE SUDIO UNABLE TO EXIT		CMNTS	M32	N6880
2/3/24 14:19:31	Comments: 1X83 REQ SUPV & ADDL UNIT		CMNTS	M82	N3877
2/3/24 14:19:36	Dispatch: AlarmLevel: 0, AssignedUnitsWithOfficers: PD/1X45-W2 (Officers: PD/QUINTERO GABRIEL, PD/OROZCO MICHAEL), DispatchedTime: 2024-02-03 14:19:36		DPTCH	M82	N3877
2/3/24 14:19:36	Dispatch: AlarmLevel: 0, AssignedUnitsWithOfficers: PD/1L50-W2 (Officers: PD/PUNZALAN JEFFREY), DispatchedTime: 2024-02-03 14:19:36		DPTCH	M82	N3877
2/3/24 14:19:36	Dispatch: PD/1X45-W2		DPTCH	M82	N3877
2/3/24 14:19:36	Dispatch: PD/1L50-W2		DPTCH	M82	N3877
2/3/24 14:19:36	Not Requested: Recommendations not requested		REC	M82	N3877
2/3/24 14:19:36	Unit: PD/1X45-W2 Unit Status: NoNeedDisplay: False, UnitStatusChange: ER (CL)		UNIT STAT	M82	N3877
2/3/24 14:19:36	Unit: PD/1L50-W2 Unit Status: NoNeedDisplay: False, UnitStatusChange: ER (CL)		UNIT STAT	M82	N3877
2/3/24 14:19:36	Unit: PD/1X45-W2 Unit Location: Apartment: : 402, City: : LA, Loc Name:: STUDIO, Location:: 644 TOWNE AV (CENTRAL STATION), Zip Code: : 90021		UNIT MGMT	M82	N3877
2/3/24 14:19:36	Unit: PD/1L50-W2 Unit Location: Apartment: : 402, City: : LA, Loc Name:: STUDIO, Location:: 644 TOWNE AV (CENT STA), Zip Code: : 90021		UNIT MGMT	M82	N3877
2/3/24 14:19:58	Comments: SUSP M/ W 602 180 RED BEENIE BRN SHIRT BLUE JEANS		CMNTS	M32	N6880
2/3/24 14:20:06	Not Requested: Recommendations not requested		REC	M82	N3877
2/3/24 14:20:06	Dispatch: PD/1A1-W2		DPTCH	M82	N3877
2/3/24 14:20:06	Dispatch: AlarmLevel: 0, AssignedUnitsWithOfficers: PD/1A1-W2 (Officers: PD/ALAMILLA CALEB, PD/CHOMUK COLIN), DispatchedTime: 2024-02-03 14:20:06		DPTCH	M82	N3877
2/3/24 14:20:06	Unit: PD/1A1-W2 Unit Location: Apartment: : 402, City: : LA, Loc Name:: STUDIO, Location:: 644 TOWNE AV (6TH / SAN JULIAN), Zip Code: : 90021		UNIT MGMT	M82	N3877
2/3/24 14:20:06	Unit: PD/1A1-W2 Unit Status: NoNeedDisplay: False, UnitStatusChange: ER (CL)		UNIT STAT	M82	N3877
2/3/24 14:20:37	Unit: PD/1A85-W2 Unit Status: NoNeedDisplay: False, UnitStatusChange: ER (CL)		UNIT STAT	M82	N3877
2/3/24 14:20:37	Unit: PD/1A85-W2 Unit Location: Apartment: : 402, City: : LA, Loc Name:: STUDIO, Location:: 644 TOWNE AV (W 7TH ST / S HILL ST), Zip Code: : 90021 (90014)		UNIT MGMT	M82	N3877
2/3/24 14:20:37	Dispatch: AlarmLevel: 0, AssignedUnitsWithOfficers: PD/1A85-W2 (Officers: PD/KLIMEK KURT, PD/MELGAR WILSON), DispatchedTime: 2024-02-03 14:20:37		DPTCH	M82	N3877
2/3/24 14:20:37	Dispatch: PD/1A85-W2		DPTCH	M82	N3877
2/3/24 14:20:37	Not Requested: Recommendations not requested		REC	M82	N3877
2/3/24 14:20:39	Unit: PD/1X83-W2 Unit Status: NoNeedDisplay: False, UnitStatusChange: AS (ER)		UNIT STAT	M82	N3877

10/9/24, 10:18 AM

#259 DFAR Report

LOS ANGELES POLICE DEPARTMENT
CAD SUMMARY REPORTSaturday
02/03/2024

Officers

Area : 01 - Central

Shop# :

PD/83623 Capability: BEANBAG, DICV, PRD, SHOTGUN,
SLUG, TASER, UPR Equipment: [AstroRadio]6214267

45471 - ALAMILLA Assignment : 1A1

Mileage Out : 8243

43630 - CHOMUK

Watch : W2

Mileage EOW :

06:45-01:37 Total Miles : -8243

Time of Day	INC#	OBS Time	Radio Time	Route Time	S&C	Location	Type	SUPR@ Scene	DICV /BWV	Dispo	Comments
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14:20 - 01:33	<u>002562</u>	0	674	2	3R	644 TOWNE AV / #402 RD:0157	245SN - 245 SUSP NOW EOW	N	N / N	OCC	
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Total Count:	4	7		11							
Total Minutes:	159	831	25	1015							

Sergeant I Jeffrey Punzalan, Serial No. 38812, assigned to unit 1L50, responded as well as the following units: unit 1A1 with Police Officer III, Colin Chomuk, Serial No. 43630, and Police Officer I Caleb Garcia Alamilla, Serial No. 45471, unit 1A85 with Police Officer II Wilson Melgar Galdamez Serial No. 45199, and Police Officer II Kurt Klimek, Serial No. 41529, and unit 1X45-W2 with Police Officer II Michael Orosco, Serial No. 45126 and Police Officer II Gabriel Quintero, Serial No. 44513.

Note: Unless otherwise noted all responding officers were in full police uniform and were equipped with and activated their Body Worn Video (BWV) and Digital In-Car Video System (DICVS).

At approximately 1423 hours, the units arrived and met with the PR- Brandan Mascarro and Witness-Axel Magana, whom indicated to officers that the last known location of the suspect was at 801 East 7th Street, on the 4th floor, suite 402.

Note: The following investigation was compiled through multiple sources including witness and victim statements, BWV and video surveillance footage.

Mascarro and Magana were working in their place of business, on the 4th floor, in suite 402. Mascarro stated that they design and create clothing in the suite and that they were conducting their normal daily business, when the suspect (later identified as Jason Lee Maccani, DOB: 03/08/24) entered their business unannounced. Mascarro and Magana heard their door open, then found him in the middle of the suite bending down to pet their dog.

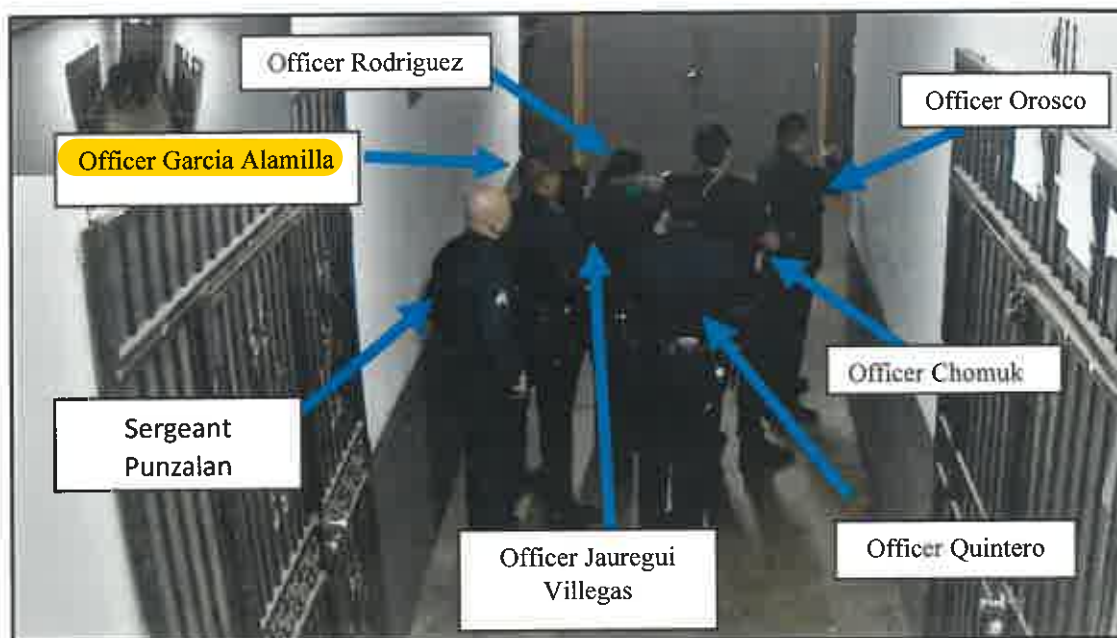
Mascarro stated that it wasn't unusual for people to wander into their suite looking for work but Mascarro immediately felt that this individual was different (or weird) and possibly dangerous. Mascarro explained that, due to Maccani's bizarre demeanor, smiling as he mumbled to himself incoherently and his eyes wide but unfocused, he concluded that that he was under the influence of an unknown narcotic or mentally unstable. Mascarro and Magana asked Maccani to leave their business, but Maccani refused, as he verbally threatened them by stating, "You need to leave now. This is my spot now! The world is changing!"

Maccani, whom they had never seen before, asked if a set of keys attached to the plastic loop on Mascarro's belt were the master keys to the building. Mascarro, in fear for his safety, told him that they were, in effort to de-escalate the situation. Mascarro stated that he was stalling for time to allow them to get out of the office, as Maccani behavior became more and more agitated. Maccani kept saying, "This is my place now! The world is changing!" Maccani told Mascarro to leave the keys, Mascarro placed them on to the desk, as he and Magana maneuvered past him to get outside of the suite and get help. They feared Maccani would arm himself with any of the equipment lying about, such as the spare parts for the clothing racks (which are plastic and metal poles) or shears and other cutting tools, commonly used in their business. The witnesses quickly left the location and contacted the police. Mascarro and Magana wanted Maccani arrested for trespassing and signed a Private Persons Arrest Form (PPA).

Based on the information provided by the witnesses, the officers formulated a plan of action, with Sergeant Punzalan assigning the various roles to the officers. He designated Officer Orosco as the Designated Cover Officer (DCO), Officer Rodriguez as the less lethal beanbag shotgun operator, Officer Chomuk as the 40mm Less Lethal Launcher (LLL) operator, and an arrest team consisting of Officer Garcia, Officer Jauregui Villegas and Officer Quintero. Officer Klimek and Officer Melgar Galdamez stood by on the 3rd floor with Mascarro and Magana.

The team of officers advanced up the stairs to the 4th floor and down the open corridor. At the end of the hallway, they positioned themselves at the corner where they were able to clearly see the doorway of suite 402, where Mascarro and Magana had last scene Maccani.

Officer Rodriguez announced that all occupants inside of room 402 exit slowly. Maccani came out and initially complied with Officer Orosco's commands, as he faced away from the officers with his hands up in the air. Officer Chomuk in his interview indicated that he observed Maccani look over his shoulder at the officers, which in his training and experience led him to believe that Maccani was trying to track their location, which is indicative of a suspect's intention to run or fight. Officer Chomuk then observed Maccani turn and face them as he began to advance towards them. He described Maccani as taking a fighting stance with his fists clenched, as he dropped his weight while advancing on officers, holding (what Chomuk believed to be) a screwdriver.



A still image obtained from surveillance video depicting the officers' position behind the corner of the wall as they make contact with the Maccani.

The officers ordered Maccani to stop but he continued to walk forward with his fists clenched and the object still held tightly in his right hand, with flat portion protruding out of the bottom of his fist. Officer Rodriguez in her interview stated she observed that Maccani had an agitated appearance and continued to clench his jaw, which based on her training and experience, led her to believe that he was under the influence of an unknown narcotic.